

as originally filed. Applicant would like to bring to the Examiner's attention p.26 of the specification as originally filed, lines 32-37 which states:

"The hyaluronic acid and salts thereof may be utilized at varying doses - 10 to 1000 mg/70 kg person with the optimal doses tending to range between 50 and 350 mg/70 kg individual. As there is no toxicity, the hyaluronic acid can obviously be administered in a dose excess (for example 3000 mg/70 kg individual) without any adverse effects."

Therefore, the rejection of these claims under 35 U.S.C. § 112, first paragraph, is overcome by the above as a person skilled in the art would understand that the terminology less than "3000 mg." was indeed disclosed and indeed suggested as well as taught by the specification as originally filed. Thus, reconsideration of the claims is respectfully requested.

The Examiner has also rejected claims 263-264 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In this instance, the Examiner is stating that the term "prevention" is not clear. Applicant has amended the claim to clarify the term prevention.

The Examiner has rejected claims 11, 187, 216, 218 and 263-264 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of Application Serial No. 07/838,675 issued as U.S. Patent No. 5,639,738. Furthermore, the Examiner has provisionally rejected claims 122, 123, 151, and 261-262 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 59-74 of co-pending Application No. Serial 08/018,508.

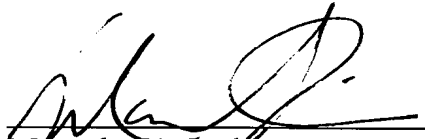
Applicant is hereby enclosing with this Response a Terminal Disclaimer in respect of U.S. Patent 5,639,738 and Application Serial No. 08/018,508 for the above claims. The fee of \$110.00 for filing the Terminal Disclaimer may be withdrawn from our Deposit Account 08-3255. Applicant is submitting this Terminal Disclaimer in order to advance this application to allowance. The submission of this Terminal Disclaimer is not an accession by Applicant that a Terminal Disclaimer is required in order to obtain allowance of this Application and issuance as United States Letters Patent.

Therefore, in light of the above amendments and the submission of the Terminal Disclaimer, reconsideration of the claims and thus, the application is respectfully requested.

Respectfully submitted,

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Enclosures

1. Terminal Disclaimer
2. Substitute Specification (Single-Sided)